

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA

v.

DEBRA LYNN MERCER-ERWIN (1)

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CASE NUMBER 4:20-CR-00212

ORDER

On October 21, 2020, the President signed into law the Due Process Protections Act, Pub. L. No. 116-182, 134 Stat. 894 (Oct. 21, 2020), which amends Federal Rule of Criminal Procedure 5 (Initial Appearance). Counsel should immediately read the amendment to Rule 5(f)(1) of the Federal Rules of Criminal Procedure, which became effective upon enactment, and is entitled “Reminder of Prosecutorial Obligation”.

By this written Order – issued to the prosecution and defense counsel – the Court confirms the disclosure obligation of the prosecutor under *Brady v. Maryland*, 373 U.S. 83 (1963), and its progeny, and the possible consequences of violating such Order under applicable law.

This written Order is entered pursuant to Rule 5(f)(1) of the Federal Rules of Criminal Procedure and is in addition to any oral order entered by the Court on the first scheduled court date when both the prosecutor and defense counsel were present.

IT IS SO ORDERED.

Signed January 7, 2021.



CHRISTINE A. NOWAK
UNITED STATES MAGISTRATE JUDGE